

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

Denny Densmore,	*	
Plaintiff,	*	
	*	
v.	*	Case No. 1:15-cv-00096-JL
	*	
National Board of Medical Examiners,	*	
Defendant.	*	

**OBJECTION TO MOTION TO DISMISS**

NOW COMES the plaintiff Denny Densmore, by and through his attorneys and respectfully submits the within Objection to Motion to Dismiss, stating as follows:

1. The National Board suggests that the Complaint should be dismissed because of how Densmore framed the ADA standard in his Complaint. This pleading defect is easily remedied with Densmore's proposed First Amended Complaint, which is attached to Densmore's memorandum for the Court's reference.

2. The National Board ignores that part of Densmore's Complaint that indicates his history of learning disability and his history of accommodations. This history of disability and accommodations is precisely the type of pleading contemplated by the 2008 amendments to the ADA.

For these reasons, Densmore respectfully asks that the Court deny the National Board's Motion to Dismiss and grant Densmore leave to file his First Amended Complaint.

Respectfully submitted,  
DENNY DENSMORE  
By his attorneys,  
DOUGLAS, LEONARD & GARVEY, P.C.

Date: May 26, 2015

By: /s/Benjamin T. King  
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and

Date: May 26, 2015

By: /s/Vincent E. Nowak  
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was electronically served through ECF to all counsel of record on this date.

/s/ Benjamin T. King  
Benjamin T. King